PTO/SB/08B(10-03)
Approved for use through 7/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 2

Complete if Known	
Application Number	10/618,526
Filing Date	July 11, 2003
First Named Inventor	Fallaux et al.
Group Art Unit	1633
Examiner Name	S. Priebe, Ph.D.
Attorney Docket Number	2578-3833.9US

NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T[2]
SP		#Submissions of Patentee to the European opposition proceedings, received at the EPO on Sep 25, 2006, including one cited document: ZAVIZION et al., Transformation of Human Corneal Endothelial Cells by Microinjection of Oncogenes, 1990, Bull Exp Biol Med, pp. 519-22, Vol. 109, Plenum Publishing corporation (listed separately below).	
		#ZAVIZION et al., Transformation of Human Corneal Endothelial Cells by Microinjection of Oncogenes, 1990, Bull Exp Biol Med, pp. 519-22, Vol. 109, Plenum Publishing corporation.	
		#Submissions of Opponent Serono International to the European opposition proceedings, received at the EPO on Sep 22, 2006.	
		#ULFENDAHL et al., A novel adenovirus-2 E1A mRNA encoding a protein with transcription activation properties, The EMBO Journal, 1987, pp. 2037-44, Vol. 6, No. 7, IRL Press Limited, Oxford, England.	
		#Declaration of Amine Kamen, including six exhibits: (1) Conference schedule of sixth conference on Protein Expression in Animal Cells (6th PEACe) held in Mont-Tremblant, Canada, September 7-11, 2003; (2) Abstract of Presentation of Dr. van der Eb entitled "Isolation of adenovirus E1-transformed human cell lines; PER.C6™ as a platform for production of proteins; (3) SHAW et al., Preferential transformation of human neuronal cells by human adenoviruses and the origin of HEK 293 cells, FASEB Journal, pp. 869-87, Vol. 16 (listed below separately); (4) BYRD et al., Malignant transformation of human embryo retinoblasts by cloned adenovirus 12 DNA, Nature, 1 July 1982, pp. 69-71, Vol. 298 (listed below separately); (5) SCHIEDNER et al., Efficient Transformation of Primary Human Amniocytes by E1 Functions of Ad5: Generation of New Cell Lines for Adenoviral Vector Production, Human Gene Ther., 2000, pp. 2105-16, Vol. 11 (listed below separately).	
		#SHAW et al., Preferential transformation of human neuronal cells by human adenoviruses and the origin of HEK 293 cells, FASEB Journal, pp. 869-87, Vol. 16. Jun. 2002	
		#BYRD et al., Malignant transformation of human embryo retinoblasts by cloned adenovirus 12 DNA, Nature, 1 July 1982, pp. 69-71, Vol. 298.	
		#SCHIEDNER et al., Efficient Transformation of Primary Human Amniocytes by E1 Functions of Ad5: Generation of New Cell Lines for Adenoviral Vector Production, Human Gene Ther., 2000, pp. 2105-16, Vol. 11.	
		#Cell line: 293, Cell type: human embryonal kidney, copyright 2004 DSMZ GmbH, #<http://www.dsmz.de/human)and)animal_cell_lines/info.php?dsmz_nr_305&term=293&highlight>.	
↓		#PER.C6TM Cell Line (Crucell), printout of the third slide of the www.niaid.hib.gov/hivvaccines/pdf/Ledwith.pdf <http://www.niaaid.hih.gov/hivvaccines/pdf/Ledwith.pdf>.	

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[1] Unique citation designation number (optional). [2] Applicant is to place a check mark here if English language Translation is attached.

PTO/SB/08B(10-03)
Approved for use through 7/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 2 of 2

Complete if Known	
Application Number	10/618,526
Filing Date	July 11, 2003
First Named Inventor	Fallaux et al.
Group Art Unit	1633
Examiner Name	S. Priebe, Ph.D.
Attorney Docket Number	2578-3833.9US

NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T[2]
SP		#MATSUI et al., Adenovirus 2 Peptide IX Gene Is Expressed Only on Replicated DNA Molecules, Molecular and Cellular Biology, Dec. 1986, pp. 4149-54, Vol. 6, No. 12.	
		#RICE et al., Multiple Effects on the 72-kDa, Adenovirus-Specified DNA Binding Protein on the Efficiency of Cellular Transformation, Virology, 1987, pp. 366-76, Vol. 156.	
		#Submissions of Opponent Cevec to the European opposition proceedings, received at the EPO on Sep 25, 2006.	
		#From Japanese prosecution: MAAT et al., The Nucleotide sequence of adenovirus type 5 early region E1: the region between map positions 8.0 (hindIII site) and 11.8 (SmaI site), Gene, 1980, pp. 27-38, Vol. 10.	
		#Submissions of Patentee to the European opposition proceedings, transmitted to the EPO on October 12, 2006 including three cited documents listed separately below.	
		#CARAVOKYRI et al., Constitutive Episomal Expression of Polypeptide IX (pIX) in a 293-Based Cell Line Complements the Deficiency of pIX Mutant Adenovirus Type 5, Journal of Virology, Nov. 1995, pp. 6627-6633, Vol. 69, No. 11.	
		#KROUGLIAK et al., Development of Cell Linds Capable of Complementing E1, E4 and Protein IX Defective Adenovirus Type 5 Mutants, Human Gene Therapy, December 1995, pp. 1575-1586, Vol. 6.	
↓		#HEHIR et al., Molecular Characterization of Replication-Competent Variants of Adenovirus Vectors and Genome Modifications to Prevent their Occurrence, Journal of Virology, Dec. 1996, pp. 8459-67, Vol. 70, No. 12.	

Examiner Signature	/Scott Priebe/	Date Considered	10/31/2006

#Pursuant to 37 C.F.R. § 1.98(d), copies of the previously identified patents are not being provided since they were previously cited by or submitted to the Office in the following prior application:

Serial No.: 10/219,414
Filed: August 15, 2002
For: STOCKS OF REPLICATION DEFICIENT ADENOVIRUS, which application is being relied upon for an earlier filing date under 35 U.S.C. § 120.

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[1] Unique citation designation number (optional). [2] Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Bo